

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF STATE OF CALIFORNIA.

Walter Redmond

Plaintiff

v.

San Francisco Police Dept.

Police Chief Heather Fong

City of San Francisco

San Francisco County et als

Defendants

FILED
JAN 17 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND
SF

CASE# C 07 4276 CW (PR)

MOTION FOR A

SUMMARY

JUDGMENT

Civil Action No. _____

* ~~—~~ MOTION FOR A SUMMARY JUDGMENT ~~—~~ *

WHEREFORE, I Walter Redmond am the plaintiff in this case. I hereby respectfully request a "summary judgment" in this case due to material-fact, seeing defendants already falsified police report, omitting entirely, the fact they "choked-me-out-cold", 60 seconds - 30 seconds after leaping from vehicle, assuming I swallowed drugs! These four officers are dangerous characters, as was officer (William Wloher) who worked 20 years ago at Ingleside, finally shot an unarmed man in Mission District, crippling him for life! I have "genuine issue" and merit in my case, and I'm soon released to move back in Walnut Creek, Ca. to do mortgage refinance in telesales...

Walter Redmond

1-17-08

S.F. is toughest on black drug offenders

By Leslie Fulbright
CHRONICLE STAFF WRITER

San Francisco imprisons African Americans for drug offenses at a much higher rate than whites, according to a report to be released today by a nonprofit research institute.

In a study of nearly 200 counties nationwide, the Justice Policy Institute found that 97 percent of large-population counties have racial disparities between the number of black people and white people sent to prison on drug convictions.

The institute, which is based

in Washington, D.C., and researches public policy and promotes alternatives to incarceration, says whites and African Americans use illicit drugs at similar rates. But black people account for more than 50 percent of sentenced drug offenders, though they make up only 13 percent of the nation's population.

San Francisco locks up a higher percentage of members of the African American community in drug cases than any other county in the study. In the county, 123 people out of every 100,000 are

DISPARITY: Page A10

Hooked Police, accompanied by a racist system that sends more people of color to jail-prison than any other city. Im 51, and I can tell you some stories about S.F.P.D., meaning if my daughter was in trouble in S.F., I wouldn't recommend she call police, aka-peace office... Be wise I'd say, consider your

ESDAY, DECEMBER 4, 2007

+ options before you dial 911, remember, you're black...

Toughest on black offenders

DISPARITY
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sent to state prison each year for drug offenses. Of those, whites are incarcerated at a rate of 35 per 100,000 white people, while blacks are incarcerated at a rate of 1,013 per 100,000 black people.

"It is not that San Francisco is sending a lot of people to prison for drug offenses, it is that the people they are sending are black," said Jason Ziedenberg, executive director of the institute. "An average citizen who uses drugs in San Francisco has a pretty low chance of going to prison, but if you are African American, the chances are fairly high."

Over the past 35 years, the rate at which the United States imprisons citizens has risen dramatically, and the increase has been driven in large part by drug offenses, according to the report. Between 1996 and 2002, the number of people in jail for drug offenses increased by about 47 percent.

San Francisco has a small population of African Americans — 6.7 percent of the total, according to the Census Bureau's 2006 American Community Survey — but Ziedenberg said the numbers have a concentrated impact within that community. African Americans are going to prison for drug offenses at a rate that is 28 times higher than the rate for whites.

"If you go to any courtroom in the Hall of Justice, you will see that the majority arrested are African American," said San Francisco Public Defender Jeff Adachi. "At every stage of the criminal process — arrest, conviction and those who are sent to prison — there is a disproportionate impact on blacks."

"It is a tradition in San Francisco to focus sting operations in communities where there are larger populations of African Americans, and there are state and federal grants that support those stings."

Alameda and San Mateo counties also have disproportionately high rates of incarcerating African Americans for drug offenses, according to the report. In Alameda County, 159 per 100,000 people are admitted to prison each year for drug offenses. Of those, whites are imprisoned at a rate of 23 per 100,000 white people, while blacks are incarcerated at a rate of 797 per 100,000 black people.

In San Mateo County, 76 out of every 100,000 people are admitted to prison each year for drug offenses. Of those, whites are imprisoned at a rate of 26 per 100,000 white people, while blacks are incarcerated at a rate of 946 per 100,000 black people.

In addition to the racial disparities, the report found that counties that spend more on policing and the judicial system im-

prison people for drug offenses at higher rates, even if the crime rate isn't higher. It also found that counties with higher poverty and unemployment rates send people to prison more.

An investigation into arrest rates by The Chronicle last year found that police in San Francisco arrest African Americans for serious crime at a much higher rate than in the state's other biggest cities.

At the time of that report, San Francisco police cited several factors that contribute to the disparity. Police officials said most of the dealers coming from out of town by BART or car to sell drugs are African Americans; that black drug dealers often sell out in the open on street corners, increasing their chances for arrest; and that the department devotes a lot of resources to combatting gangs of youths responsible for many of the city's black-on-black homicides.

Tim Silard, chief of policy for the San Francisco district attorney's office, said the new report was disturbing but that the disparity is likely the result of higher arrest rates among African Americans.

"Data show that San Francisco's charging and conviction rates are actually fairly consistent across racial lines," Silard said. "At the same time, the data show that African Americans in San Francisco are arrested for felonies at three and four times the

Though she attends University of Charleston, South Carolina, going for her Masters, just finished from Columbia University @ S. Carolina!

But Adachi, the public defender, said it doesn't matter.

"The arrests may be higher, but it is the district attorney's job to ensure that charging practices don't discriminate," Adachi said. "Law enforcement is law enforcement."

Dorsey Nunn, a co-founder of All of Us or None and a longtime prisoner rights activist, said the numbers were unexpected.

"I see innovative work happening in San Francisco that is getting young people of color into programs," he said. "The disparity in this report is surprising."

The report is based on 2002 figures from the U.S. Bureau of Justice Statistics and 2006 numbers from the National Corrections Reporting Program.

NOT SINCE 9-11-
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Med school grad sues, says police injured his shoulder

By Henry K. Lee
CHRONICLE STAFF WRITER

A recent graduate of UCSF Medical School has filed a \$1 million federal civil rights suit accusing San Francisco police of roughing him up and injuring his shoulder as he was tinkering with a car near an auto repair shop.

The confrontation forced Edward Yamoah, who is now a resident intern at a Houston-area hospital, to undergo surgery on a torn rotator cuff, said the suit filed in U.S. District Court in San Francisco.

"This is a wonderful man who

is doing everything possible to be a good citizen, and yet he gets treated in the most outrageous manner possible," Yamoah's attorney, John Burris of Oakland, said Tuesday. "He was dehumanized, and his career as a surgeon was really threatened."

A city attorney's spokesman was unavailable for comment Tuesday night. The city has not yet responded in court to the suit, which names Police Chief Heather Fong and officers Kevin Healy, 36, Jason Kristal, 28, Robert Doss, 49, and Jon Kasper, 34.

Yamoah, 33, said he had a flashlight and was putting oil into the engine of a used Acura on the night of Dec. 28, 2006, near Emerald Auto near 12th Avenue and Judah Street in the city's Inner Sunset district.

The car had been towed to the shop after hours with the owner's permission, and Yamoah had hoped to use the car for spare parts to repair a second vehicle, the suit said.

As Yamoah was working on the Acura, Healy and Kasper got out of a police car and told him to "shut up" after he greeted them, the suit said. It wasn't clear why the officers chose to approach Yamoah.

Yamoah told the officers that the Acura was his car and that he lived nearby, but Kasper pushed him against the vehicle and "applied a painful amount of pressure" to his elbow, the suit said. The pushing was allegedly so severe it caused an ink stamp in Yamoah's shirt to break.

Yamoah yelled that the officer was hurting him but got no response, the suit said. Without provocation, Kasper kicked Yamoah in the right leg and told him that he was "just doing my job" when Yamoah asked why he was kicked, the suit said.

Kristal arrived on scene and punched Yamoah in the chest with a closed fist, the suit said. Yamoah asked why he did this, and Kristal replied, "because I want to," the suit said.

Police walked Yamoah to a nearby home that he was moving out of and let him go when a roommate told them that he recognized Yamoah, the suit said.

Doss falsely stated in his police report that Yamoah was "litigious, threatening and hysterical," the suit said.

Doss wrote that Yamoah "wanted to speak with his attorney because he wanted to get paid for this incident," the suit said. Yamoah denied making such a statement.

Yamoah was not charged with a crime. The suit alleges assault, battery, false imprisonment, intentional infliction of emotional distress and negligence.

The suit also alleges that the officers were motivated by "racial prejudice" because Yamoah is African American.

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Please put in my file to present at my trial against defendants, in docket file along with first clipping I sent about police officers who have been caught in lies, which is tradition in S.F.P.D., not unlike Los Angeles P.D., where blacks are involved. The police lie in court routinely, and all court personnel know this tradition. No Bibles are used in courts now for swearing in, so sky's the limit for lies by police! Sad day for America, and San Francisco and L.A. are forerunners! Even murder - remember the 12 year old Samoan 5 years ago, a child-shot dead by police! @ Potrero Hill.